#### **EXPRESS MAIL CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that the paper(s) identified above, and any document(s) referred to as attached hereto, is being deposited with the United States Postal Service on the date indicated in an envelope as "Express Mail Post Office to Addressee" and is addressed: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450.

Sean F. Mellino

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant

Marc Riemenschnitter

Serial No.

Filing Date

Herewith

Examiner

Group Art Unit:

Title

MOISTURE-ACTIVATABLE ADHESIVES FOR MEDICAL

APPLICATION PURPOSES (as amended herein)

Attorney File:

RO0989US (#90568)

## INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 CFR 1.97

Mail Stop PCT Commissioner for Patents P O Box 1450 Alexandria, Virginia, 22313-1450

Dear Sir,

Under the provision of 37 C.F.R. 1.56, 1.97 and 1.98, Applicant would like to call the Examiner's attention to the references listed on the attached Form PTO-1449. Copies of the U.S. patent references are not enclosed. Copies of the non-U.S. patent references and non-patent references, all of which were cited in the International Search Report mailed 03/18/2004 in the prior international application PCT/EP03/12117, are also not enclosed.

In accordance with 37 C.R.F. 1.97(b)(1), and as this Information Disclosure Statement is being filed with the application, the Statement is submitted before the issuance of a first Official Action on this case.

In accordance with 37 C.F.R. 1.97(g) and 37C.F.R.1.97(h), filing of this

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Information disclosure Statement shall not be construed to be an admission that the information cited in the statement is, or is considered to be, material to patentability as defined in 34 C.F.R. 1.56(b).

The Examiner is requested to make the attached references of record and to consider these references along with such other references deemed pertinent as a result of the Examiner's own independent search and examination.

Respectfully submitted,

D. Peter Hochberg Reg. No. 24,603

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### FORM PTO-1449

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### **U S PATENT DOCUMENTS**

| Examiner            | Document            |                      |                              |   |
|---------------------|---------------------|----------------------|------------------------------|---|
| Initial             | Number              | Date                 | Name                         |   |
|                     | 4,505,976           | 3/19/85              | Doehnert, et al.             |   |
|                     | 6,375,963           | 4/23/2002            | Repka, et al.                |   |
|                     | <u>I</u>            | Foreign Patent Docu  | iments                       |   |
| Examiner            | Document            |                      | Translation                  |   |
| Initial             | Number Date         | Country              | (Yes/No)                     |   |
| <del></del>         | WO 0168045 9/20     | ·                    |                              |   |
|                     | DE 19856101 6/8/2   | 2000 DE              |                              |   |
|                     | Other Prior Art (In | c. Author, Title, Da | ate, Pertinent Pages, Etc)   |   |
| Examiner<br>Initial | Document            |                      |                              |   |
|                     | Woolfson, A.D.,     | et al., "Developr    | nent and Characterisation of | a |

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Moisture-Activated Bioadhesive Drug Delivery System for Percutaneous Local Anaesthesia," <u>International Journal of Pharmaceutics</u>, June 30, 1998, Vol. 169, No. 1 (pages 83-94)

| Examiner | Date Considered: |
|----------|------------------|
|          |                  |

Examiner:

Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant